IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.Misc.No.23137-M of 2007

Date of Decision: 27.4.2007

Manjit Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Onkar Singh, Advocate
for the petitioner.

Mr.BS Sra, D.A.G. Punjab.

JUDGMENT

This order shall dispose of an anticipatory bail plea preferred on behalf of petitioner Manjit Singh.

The prosecution allegations are as under:

On the receipt of a secret information that flesh trade is being run at Pappu Dhaba, a police party reached the indicated place. Prior thereto, a sum of Rs.1,000/- had been handed over to a Head Constable who was presented as dummy customer in mufti. The dummy customer met Dhaba Manager Vinod Kumar at the counter. He settled the deal, paid up and was told that he would be allowed access after a room became available. That room was reportedly being used at that moment for entertainment of a customer in the flesh trade. Thereupon, the raiding party conducted a raid. The currency note given by dummy customer was recovered from the right side pocket of the pant worn by Vinod Kumar, Manager. One Gurbax Singh

@ Sahib and one lady named Balwinder Kaur wife of Joginder Singh Kamboj were apprehended from one of the rooms in an objectionable posture. The petitioner succeeded in fleeing from the spot.

The learned counsel for the petitioner argues that the prosecution version deserves to be invalidated as no independent witness had been joined in the party. It is also argued that the petitioner deserves anticipatory bail as his co-accused had already been granted regular bail by the Magistrate.

The effect of non-joining of any independent witness in the party would be adjudicated upon at the trial. On the own showing of learned counsel for the petitioner, the co-accused had been granted regular bail and not anticipatory bail. The prosecution allegations against the petitioner are fairly serious in nature. The running of flesh trade, by the very nature of things, hurts the sensibilities of civilized society. The mere fact that the petitioner succeeded in fleeing from the spot would not enable him to raise a plea for the grant of anticipatory bail.

In the light of the foregoing discussion, the anticipatory bail plea deserves dis-allowance and it is so ordered accordingly.

(S. D. ANAND)
JUDGE

April 27, 2007
SRM